12/08/2016

ORIGINAL

Fd Smith
Nov. 5th, 20 PERK OF THE SUPREME COURT

Case Number: AF 09-0688

RE: Professional Rules of Conduct, Rule 8.4(g)

Honorable Members OB The Court,

You have called for public

comment of the proposed new Hule 8.4(g)
of the Professional Rules of conduct for

Montana Attorneys.

As a concerned citizen, I hereby submit my request that you reject this rule for the following reason. We still have religious breedom of speech in the united States. Also I think the government is over stepping our rights where speech is concerned. Please consider rejecting this build in behalf of all montana citizens.

FILED

DEC 08 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Thank you,

Kathy Whitsel
4 Haven Medow Joop
Livingsten, MT.
59047

ORIGINAL

Dear Honorable Sirs,

4068833550

You are considering a new rule that lawyers can not use the words that marriage is between one man and one woman; this is our lawyer's free speech to say and quote others who have used this comparison. Do not be on the wrong side of free speech. Do not change the "Rules of professional Conduct" rule 8.4 to come against free speech and the right to say the truth. It will be discriminating against those that believe that this is the truth. A court should be constitutional not political. I ask you not to change this rule.

Sincerely,

Eileen Fehrenbach

Polson, MT 59860

Edean & Fehrenback

FILED

DEC 08 2016

Re: Professional Rules of Conduct, Rule 8.49) Honorable Members of the Court,

You have called for public comment of the proposed new Rule 8.49) of the Professional Rules of Conduct for Montana Attorneys. As a concerned citizen, I hereby Submit my request that you reject this rule for the following reasons: My religious freedom, government over reach, freedom of speach, etc. We just don't know what the far reaching impacts might be.

Signed, Manufatthost

FILED

DEC 08 2016

From:

Sent: To: Heidi Matelich <hmatelich@gmail.com> Wednesday, December 7, 2016 7:52 PM

Court, SCclerk

Subject: Professional Rules of Conduct - Rule 8.4

Honorable Members of the Court,

In your order of October 26, 2016 regarding case number AF 09-0688 you have called for public comment on the proposed new Rule 8.4(g) of the Professional Rules of Conduct for Montana Attorneys. I would like to submit my request that you decline the adoption of this rule due to its threat to freedom of speech and religious liberty.

By the adoption of this rule, Montana lawyers will find their "verbal conduct" severely limited, even in social activities "in connection with the practice of law." This is a dangerous precedent. This rule does not allow for sincerely held religious beliefs to be expressed and my fear is that Montana lawyers could find themselves under the threat of discipline by associating themselves with religious organizations that hold certain behaviors, connected to a sexual orientation, gender identity or marital status, to be contrary to their belief system. In addition, this may bring about a negative effect on access to legal advice if lawyers are reluctant to grant pro-bono work, or to sit on the governing boards of congregations or not-for-profit companies. The lack of access to such legal advice may create a serious threat to religious freedom in Montana.

I hope that you will take all these thoughts and concerns under careful consideration. As I write this email to you today, the Anniversary of Pearl Harbor, I think of the many brave men and women who gave their lives that day so that we could enjoy freedom. May that freedom be preserved for many generations to come!

Sincerely,

Heidi Matelich 41 Avenue B Billings, MT 59101 FILED

DEC 08 2016

From: TONY ODONNELL <odonnells@usa.com>
Sent: Wednesday, December 7, 2016 9:50 PM

To: Court, SCclerk
Subject: Rule 4.8

Justices of the MT Supreme Court,

I am quite concerned with the proposed change to the Montana Bar Assn rules governing the appropriate use of language by Montana attorneys. It strikes me that the wording seems to conclude that every word, association or relationship of an attorney, whether in the course of professional activities or purely social occasions is held to be objectionable and liable to disciplinary action but he Mt Bar Assn. It seems clear to me that tradition, common sense and proper regard for everyone's rights of free association and speech are thereby threatened. The very vague scope of covered activities is will be chilling because no one would know exactly where the boundaries lie and therefore would cause attorneys to exist under a Damoclean sword at all times. Of course, there should be no allowance for violation of attorney's ethics, as historically understood and within reasonable boundaries and while actually acting as an officer of the court. But the intellectual harassment predicted by this adoption of the ABA Rule 4.8 should not be imposed upon any citizen of the country, let alone any citizen of Montana.

Thank You,
Tony O'Donnell
Commissioner-Elect, Montana Public Service Commission, District 2

FILED

DEC 08 2016

From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Bonnie Potts < communications@montanafamily.org >

Sent:

Wednesday, December 7, 2016 4:52 PM

To:

Court, SCclerk

Subject:

Don't change this!!!!

Dec 7, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

Please do NOT change this rule!!!! The people of Montana have spoken and we don't want marriage to be defined any other way than between a man a woman. I have people who could lose their jobs over this rule being changed and that is TOTALLY UNFAIR!!!!

I hope you'll reject this rule change.

Sincerely,

Mrs. Bonnie Potts 8670 Churchill Rd Manhattan, MT 59741-8410 bpotts84@yahoo.com MILED

DEC 08 2016

From:

Montana Family Foundation <communications@montanafamily.org> on behalf of Andy

Klein < communications@montanafamily.org >

Sent:

Wednesday, December 7, 2016 4:52 PM

To:

Court, SCclerk

Subject:

Ridiculous

Dec 7, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

Freedom of Religion, speech etc.

I hope you'll reject this rule change.

Sincerely,

Mr. Andy Klein 675 Scenic Dr Kalispell, MT 59901-2333 andy1960klein@yahoo.com MILED

DEC 08 2016



From: Montana Family Foundation <communications@montanafamily.org> on behalf of

Krystle Henry <communications@montanafamily.org>

Sent: Wednesday, December 7, 2016 4:52 PM

To: Court, SCclerk

Subject: Restrictions to our constitutional right of representation and a fair trial set to be votes

on Dec. 9th

Dec 7, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

The vote set to take place Dec. 9th that would limit representation, before proven guilty, of a "hate" crime is clearly a direct violation of our constitutional right to a fair trial, and representation as well as our right to be innocent before proven guilty. It's quite honestly almost unbelievable that such a law is even being voted on.

I hope you'll reject this rule change.

Sincerely,

Mrs. Krystle Henry 2130 E Echo Dr Billings, MT 59105-4824 (406) 690-0093 krystle.henry@gmail.com FILED

DEC 08 2016



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Susan Smith <communications@montanafamily.org>

Sent:

Wednesday, December 7, 2016 4:22 PM

To:

Court, SCclerk

Subject:

Defending the relilgious freedom and freedom of speech and press... opposition to rule

change 8.4 (g)

Dec 7, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003



DEC 08 2016

Dear Justices Honorable Smith,

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

I am writing today to express my opposition to the proposed rule change 8.4(g).

It is imperative that the Montana Supreme Court uphold the Constitution and defend the religious freedom of everyone in the legal profession who is a person of faith.

A lawyer should not be disbarred because of his or her religious belief or affiliation even if you don't agree with their belief.

It is not the right of the Montana Supreme Court to make a rule that is in violation of the free exercise of religion.

Our nation was founded upon the principle of the free exercise of religion based on God's law. Laws based on God's principles are key to liberty. The Pilgrims established a nation that has become the best example of civil, economic and religious liberty the world has ever known? It is our God given right of agency to be free to choose how we exercise our religion. Based on those fundamental principles established in the forming of this nation, it is the Montana Supreme Courts responsibility and duty to preserve that liberty.

This rule is also a violation of the freedom of speech and of the press.

Freedom of speech is protected by the First Amendment of the Constitution of the United States. Freedom of speech is the right to articulate one's opinions and ideas without fear of government retaliation or censorship, or societal sanction.

Freedom of speech, the press, association, assembly, and petition: This set of guarantees, protected by the First Amendment, comprises what we refer to as freedom of expression. It is the foundation of a vibrant democracy, and without it, other fundamental rights, like the right to vote, would wither away.

In order to have a free society there needs to be civil law to ensure that freedom to the citizens. Equal justice --was included in the U.S.

Constitution by our Founding Fathers to create a unique and exceptional nation. The premise of justice and mercy should be included in all laws enacted. It takes resolve and shouldering responsibility to protect the lawyers and citizens of Montana and their liberty from unconstitutional measures or rules that tear down that fabric of protection.

The Montana Supreme Court should stop this rule.

ORIGINAL

Please reject this rule change.

Sincerely,
Susan Smith
6133 Timbercove Dr
Billings, MT 59106
susanbiglersmith@hotmail.com

I hope you'll reject this rule change.

Sincerely,

Mrs. Susan Smith 6133 Timbercove Dr Billings, MT 59106-8544 (406) 698-9317 susanbiglersmith@hotmail.com



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Bonee Erickson < communications@montanafamily.org>

Sent:

Wednesday, December 7, 2016 4:22 PM

To:

Court, SCclerk

Subject:

Protect basic rights

Dec 7, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003 FILED

DEC 08 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MUNICIPAL

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

I am asking you to reject the proposal that would deny basic rights to lawyers. Being disbarred for expressing opinions about marriage is unthinkable. I have not heard of other rules threatening those who express their views on marriage. This is not just about Christians expressing their views, it is about freedom of speech.

A person's values are part of who they are and no profession should be threatened for stating those values.

Please reject this rule. Bonee Erickson

I hope you'll reject this rule change.

Sincerely,

Mrs. Bonee Erickson 1050 Ten Mile Rd. Cascade, MT 59421 (406) 866-3533 beballou@gmail.com



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Jeanine Reiss < communications@montanafamily.org>

Sent:

Wednesday, December 7, 2016 4:22 PM

To:

Court, SCclerk

Subject:

Opposition to Rule 8.4(g)

FILED

DEC 08 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Dec 7, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

I am concerned about the freedoms we as Americans were granted by our Constitution that are being slowly taken away. Regardless of our profession, we should be able to express and exercise our freedom of religion. This includes God's Biblical provision as marriage between one man and one woman. Our founding fathers came to this continent because of religious persecution. What you are doing is persecuting a Christian lawyer because of his/her belief in biblical definition of marriage, sexual orientation and gender identity.. Many people are not Christians and do not believe in this biblical view, but lawyers should not be disbarred or disciplined for holding this belief.

This also violates our right to free speech. This new rule wants to limit the lawyers right to free speech.

Again, I restate that I am opposed to the new rule 8.4(g) and pray that the Supreme Court of Montana will vote against this new rule. This feels like another attempt from the "left" to impose only their point of view.

Sincerely,

Jeanine Reiss PO Box 1793 East Helena, MT 59635 email: rjreiss@yahoo.com

I hope you'll reject this rule change.

Sincerely,

Mrs. Jeanine Reiss 507 E Dudley St PO Box 1793 East Helena, MT 59635-9088 (406) 227-6949 rjreiss@yahoo.com



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of barb

tremblay <communications@montanafamily.org>

Sent:

Wednesday, December 7, 2016 4:22 PM

To:

Court, SCclerk

Subject:

First Amendment Rights for Lawyers ABA Model Rule 8.4(g)

Dec 7, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003 FILED

DEC 08 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

This rule is a violation of free exercise of religion and of the freedom of speech and of the press. Even if you do not agree with a belief, lawyers ought not be disbarred for holding it. Thank You, Barb Tremblay P. O. Box 137 Dodson, Mt. 59524

I hope you'll reject this rule change.

Sincerely,

Mrs. barb tremblay PO Box 137 Dodson, MT 59524-0137 barb4him@gmail.com



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Merry Nelson <communications@montanafamily.org>

Sent:

Wednesday, December 7, 2016 4:22 PM

To:

Court, SCclerk

Subject:

Do Not Discriminate Against Religious Freedom

FILED

Dec 7, 2016

DEC 08 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Ed Smith

CLERK OF THE SUPREME COURT
STATE OF MONTANA

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

As Christians who live our lives according to the moral principles set forth in the Bible, which we believe to be the word of God, I strongly disagree with any effort to silence our freedom of speech in regard to our faith. Not only would this rule change violate the free exercise of religion, it puts you in the position of deciding that a person's Christian convictions are wrong. Even if you are not in agreement with a belief, a lawyer should not be disbarred by expressing his or her opinion through speech or in writing.

I hope you'll reject this rule change.

Sincerely,

Mrs. Merry Nelson 530 Aero Ln Bigfork, MT 59911-6523 (406) 837-4874 merrynelson@gmail.com



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Sherri Klempel <communications@montanafamily.org>

Sent:

Wednesday, December 7, 2016 3:30 PM

To:

Court, SCclerk

Subject:

Freedom of religion and speeh

Dec 7, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003 MILED

DEC 08 2016

Ed Smith

CLERK OF THE SUPREME COURT
STATE OF MONTANA

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

Many came to this country wanting to find a place where they could be free to live out their faith without the government controlling that aspect of their lives. A system of government was meticulously set in place to safe guard these new found freedoms. How sad today as we see those hard fought for rights dissolving before our eyes. Just because we disagree with someone does not mean that there is "hate"

involved. We allow those who disagree with government to burn our flag, and that is a protected right, "freedoms of speech."

Being free to disagree is part of what makes this a free country. When the government becomes the thought police and punishes people for what they believe, something is very wrong. Please stop the erosion of freedom in this country.

I hope you'll reject this rule change.

Sincerely,

Mrs. Sherri Klempel 1351 County Road 523 Bloomfield, MT 59315-9414 (406) 583-7565 sherri.klempe@gmail.com

ORIGINAL

Anderson, Diane

From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Robin Winden <communications@montanafamily.org>

Sent:

Wednesday, December 7, 2016 3:22 PM

To: Subject:

Court, SCclerk

Rule 8.4(q)

FILED

Dec 7, 2016

DEC 0 8 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTARA

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

I am speaking out today as a person of faith - in defense of my (and all other Americans) religious freedom. This proposed rule change is a clear violation of the free exercise of religious freedom and is also a violation of the freedom of speech and press that we enjoy in this country. This proposed rule change should be a red flag to every American - not just to those of faith. When we tie the hands of our legal defenders we undermine one of our most basic freedoms - something that sets us apart from most of the world and makes America special.

This country was founded on freedom of religion and should not be removed as a core principle of who we are. I am urging you to reject this rule change as it is a bad rule and one that hurts all of us. We lose our uniqueness as a democracy when our freedoms are taken away from us. Thank you for your consideration of these comments.

I hope you'll reject this rule change.

Sincerely,

Mrs. Robin Winden 444 Kentucky Ave Dillon, MT 59725-2920 (406) 683-5892 robinwhoot@msn.com



From: Montana Family Foundation <communications@montanafamily.org> on behalf of Del

Simon <communications@montanafamily.org>

Sent: Wednesday, December 7, 2016 3:22 PM

To: Court, SCclerk

Subject: Opposition to rule change 8.4.

Dec 7, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

This rule is a violation of the free exercise of religion. It is also a violation of the freedom of speech. It is a threat to the actual purpose of the court. It causes a separation of people and is almost a class system. It just doesn't make sense. I don't know why it needed to be changed. It is going to do more harm than good. No lawyer will be willing to advise or take on a case of a religious person--no matter what the religion is. Please think about this before you change the rule.

I hope you'll reject this rule change.

Sincerely,

Ms. Del Simon PO Box 311 Big Sandy, MT 59520-0311 (406) 378-2188 del@bsmc.org



DEC 08 2015



ORIGINAL

Anderson, Diane

From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Donna Young <communications@montanafamily.org>

Sent:

Wednesday, December 7, 2016 3:22 PM

To:

Court, SCclerk

Subject:

Defend Christians' Right To Practice Law

Dec 7, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003 FILED

DEC 08 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

I believe that our Montana Lawyers have a right to exercise freedom of religion.

This rule would be a violation of their freedom of speech and of the press.

The Court is trying to limit lawyers' expression of viewpoints that it disapproves of.

I would respectfully ask you to not pass this rule.

I hope you'll reject this rule change.

Sincerely,

Mrs. Donna Young 5781 S Wagner Rd Malta, MT 59538-9333 dlouisey@yahoo.com



From: Montana Family Foundation <communications@montanafamily.org> on behalf of

CHARMEL GILLIN < communications@montanafamily.org >

Sent: Wednesday, December 7, 2016 3:22 PM

To: Court, SCclerk

Subject: ABA Rule in Montana

Dec 7, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

A severe restriction of speech such as proposed in rule change 8.4(g) for a lawyer who is otherwise held at appropriately high ethical standards is not only unnecessary but leans toward impeding the bill of rights. It prohibits the exercise of religion for a segment of professionals who are committed to upholding the laws of the state and defending the liberties of others. It is an infringement of the attorney's right to express his or her own belief in a reasonable manner, as afforded by the first amendment to the United States Constitution.

While I am considerate of all of those of whom it claims to protect, there is a push toward a very dangerously broad definition of harassment, thus changing the scope of diversity and tolerance for those who have different beliefs. Suddenly the Christian faith is intolerable to those who desire tolerance.

Please vote to deny the rule change 8.4(g). Montana is a great place to co-exist and it's culture is what has made it the Treasure State. Our faith is what holds us together and our unity in love is woven from a fabric not made by rules such as this particular rule.

Sincerely, Charmel R. Gillin 30820 Atwen Ln Polson, MT 59860 crgi65@yahoo.com

I hope you'll reject this rule change.

Sincerely,

Mrs. CHARMEL GILLIN 30820 Atwen Ln Polson, MT 59860-8203 (406) 407-0625 crgi65@yahoo.com



DEC 08 2016





From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Alfred E. Popelka <communications@montanafamily.org>

Sent:

Wednesday, December 7, 2016 3:22 PM

To: Subject: Court, SCclerk

Oppose Rule 8.4(g)

FILED

DEC 08 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTAIN

Dec 7, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

I am a registered voter in Montana and am writing concerning case number AF 09-0688, which deals with the Professional Rules of Conduct for Montana Attorneys. I strongly urge you to oppose implementing Rule 8.4 (g). My concern is that this rule takes away the freedom of speech for Montana attorneys and, as a result, all Montanans.

Thank you for opposing in this serious matter.

I hope you'll reject this rule change.

Sincerely,

Mr. Alfred E. Popelka 7277 Popelka Rd Molt, MT 59057-2004 epopelka@mtintouch.net



From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Colleen Taylor <communications@montanafamily.org>

Sent:

Wednesday, December 7, 2016 3:22 PM

To:

Court, SCclerk

Subject:

Opposition to 8.4(g)

FILED

DEC 08 2015

Ed Smith Clerk of the supreme court State of Montant

Dec 7, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

I think that passing the proposed rule change 8.4(g) goes against every Americans right to freedom of religion. - A persons values should reflect their beliefs. It is unfair to assume some one is acting in hate just because if their beliefs. This would also hinder freedom of speech. Lawyers shouldn't have to worry about being disbarred for representing someone who simply has a different belief.

I hope you'll reject this rule change.

Sincerely,

Mrs. Colleen Taylor 8504 Monad Rd Billings, MT 59106-1870 dc lark@icloud.com

ORIGINAL

From:

Montana Family Foundation <communications@montanafamily.org> on behalf of

Janita VonHeeder < communications@montanafamily.org >

Sent:

Wednesday, December 7, 2016 3:00 PM

To:

Court, SCclerk

Subject:

American Liberties

Dec 7, 2016

Honorable Ed Smith P.O. Box 203003 Helena, MT 59620-3003

Dear Justices Honorable Smith,

FILED

DEC 08 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

I am writing today to express my opposition to the proposed rule change 8.4(g).

So now... Are we losing one more of our liberties? Freedom of speech??? Freedom of Religion???

I hope you'll reject this rule change.

Sincerely,

Mrs. Janita VonHeeder 86 revais Dixon, MT 59831 janitavh@hotmail.com